

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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RODNEY KYLE,

Petitioner,

v.

ORDER

09-cv-90-slc

F.B.O.P., C. HOLINKA (Warden),  
MR. NALLEY (Regional Director)  
and H. LAPPIN (F.B.O.P. Director),

Respondents.

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In an order entered in this case on February 22, 2009, I told petitioner that before I could consider his request to proceed *in forma pauperis* he would have to submit a trust fund account statement covering the six-month period preceding the filing of his complaint so that I could assess an initial partial payment of the \$350 fee for filing this case. Petitioner has submitted the requested statement. From the statement, I have calculated petitioner's initial partial payment to be \$1.67. He must pay the remainder of the fee in monthly installments even if his request for leave to proceed is denied. Petitioner should show a copy of this order to prison officials to insure that they are aware they should send his initial partial payment to this court.

ORDER

IT IS ORDERED that petitioner is assessed \$1.67 as an initial partial payment of the \$350 fee for filing this case. He is to submit a check or money order made payable to the clerk of court in the amount of \$1.67 on or before March 20, 2009. If, by March 20, 2009, petitioner fails to make the initial partial payment or show cause for his failure to do so, he will

be held to have withdrawn this action voluntarily. In that event, the clerk of court is directed to close this file without prejudice to petitioner's filing his case at a later date.

Entered this 3<sup>rd</sup> day of March, 2009.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge